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Attorney Docket No.: 60188-574
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	
	:	Customer No.20277
Junichi YANO	:	
	:	Confirmation No.: 2494
Serial No.: 10/616,908	:	
	:	Group Art Unit: 2819
Filed: July 11, 2003	:	Examiner: ANH Q. TRAN
	:	
For: DYNAMIC CIRCUIT	:	

ELECTION UNDER 35 U.S.C. § 121

Mail Stop Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed November 24, 2004, having a shortened statutory period for response set to expire December 24, 2004, wherein the Examiner required restriction between the following distinct Species:

- Group I - Figures 1 and 14;
- Group II - Figures 4 and 5;
- Group III - Figure 10;
- Group IV - Figure 12.

Applicant elects without traverse, Species group I – (Figures 1 and 14) with claims 1-4 readable thereon, for initial prosecution on the merits. Applicant would like to bring to

the attention of the Examiner that Applicant considers Figures 2 and 8 also to be included in this Species group.

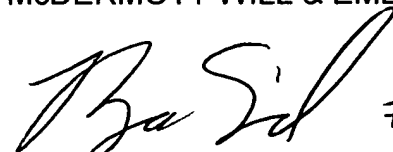
Applicant also reserves the right to file a Divisional Application for the non-elected claims, which the Examiner has indicated is patentably distinct.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0417. A duplicate copy of this Response is enclosed for accounting purposes.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Date: 12/23/04

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